IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1784 OF 2005
IN
SPECIAL CIVIL SUIT NO.67 OF 1999

Maharashtra State Electricity
Board Satara Dist.& Ors. ..Appellants

Vs.

Gandhi Constructions ..Respondents

Dr.V.K.Chowdhari Advocate for appellant
Mr.P.V.Samant Advocate for respondents

CORAM: SMT.RANJANA DESAI &
SMT.V.K.TAHILRAMANI,JJ.

DATE : SEPTEMBER 15, 2006

P.C.

1. On 4th April, 2006, this matter was referred to mediator Shri.Vivek Dattratray Gupte, Architect. Final report was to be submitted by the Mediator to this Court. Accordingly, the Mediator has submitted his report. The Mediator has reported in his report that the parties agreed to settle the dispute at Rs.8,25,920/-. He has passed the following award:-

. " The Maharashtra State Electricity Board Satara District Credit

Co.Operative Society Ltd. Satara shall pay an amount of Rs.8,25,920/- (Rs.Eight Lakh Twenty Five Thousand Nine Hundred Twenty only) to M/s. Gandhi Construction, SATARA by virtue of amicable settlement as per this Mediation Award.

. This amount shall be paid by the Society to M/s.Gandhi Construction SATARA within a period of three months from the date of this settlement. This amount is already deposited by the Society in the court of Senior Division, SATARA.

. The cost of this Mediation Proceedings of Rs.10,000/- (Rs. Ten Thousand only) shall be paid by Maharashtra State Electricity Board, Satara District Employees Credit Co.Operative Society Ltd., Satara as well as M/s.Gandhi Construction SATARA at Rs.5,000/- (Rs.Five thousand only) to the Mediator i.e. in the name of Shri.Vivek D.Gupte, Satara, by issuing a cheque on local

Bank, Satara."

2. It is informed that the Maharashtra State Electricity Board, Satara District Co.Operative Society Ltd. Satara has already deposited the money in the District Court, Satara. In view of the above settlement, the respondent M/s.Gandhi Construction Satara, will be liberty to withdraw an amount of Rs.8,25,920/- from the deposited amount. Needless to say that Maharashtra State Electricity Board Satara District Co.Operative Society Ltd.Satara, will be at liberty to withdraw the rest of the amount with interest.

3. We are informed that the costs of mediation proceedings have already been paid. Hence, the instant First Appeal is disposed of in terms of report of the Mediator. In view of the settlement, the learned counsel for the respondent states that he is withdrawing the cross objections. The Cross Objections stand disposed of as withdrawn.

[SMT.RANJANA DESAI, J.]

[SMT.V.K.TAHILRAMANI,J.]